

# EXHIBIT A

**JOSEPH CHAIKEN & ASSOCIATES, P.C.**  
 Jerry Lyons, Esquire, Attorney I.D. No. 49543  
 1800 John F. Kennedy Boulevard, Suite 810  
 Philadelphia, Pennsylvania 19103  
 (215) 564-1800

Arbitration Matter

ATTORNEY FOR PLAINTIFF

**RON MITCHELL**  
 3123 N. Carlisle Street  
 Philadelphia, PA 19144

vs.

**CITY OF PHILADELPHIA**  
 1515 Arch Street, 14<sup>th</sup> Floor  
 Philadelphia, PA 19102

and

**PHILADELPHIA REDEVELOPMENT AUTHORITY**  
 1234 Market Street, 16<sup>th</sup> Floor  
 Philadelphia, PA 19107

TERM, 2020

# NOTICE TO DEFEND

## NOTICE

You have been sued in court. If you wish to defend against the claims set forth in the following pages, you must take action within twenty (20) days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER OR CANNOT AFFORD ONE, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW TO FIND OUT WHERE YOU CAN GET HELP. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER.

IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

PHILADELPHIA BAR ASSOCIATION  
 LAWYER REFERRAL AND INFORMATION SERVICE

One Reading Center  
 Philadelphia, PA 19107  
 (215) 238-6333

AVISO

Le han demandado a usted en la corte. Si usted quiere defenderse de estas demandas expuestas en las paginas siguientes, usted tiene veinte (20) dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita o en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades u otros derechos importantes para usted.

LLEVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO O SI NO TIENE EL DINERO SUFICIENTE DE PAGAR TAL SERVICIO. VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA CUYA DIRECCION SE ENCUENTRA ESCRITA ABAJO PARA AVERIGUAR DONDE SE PUEDE CONSEGUIR ASISTENCIA LEGAL

ASSOCIATION DE LICENCIADOS DE FILADELPHIA  
 SERVICIO DE REFERENCIA LEGAL

One Reading Center  
 Philadelphia, Pennsylvania 19107  
 Telefono: (215) 238-6333  
 TTY: (215) 451-6197  
 Telephone: (215) 238-6333



hazardous conditions.

5. On or about December 25, 2018, Defendants individually, jointly and/or severally did allow to exist a dangerous and hazardous condition upon the sidewalk allowing an open gate on the sidewalk along the east side of 17<sup>th</sup> Street between Glenwood and Sedgley, Philadelphia, Pennsylvania, of an open and uncovered utility causing uneven levels and tripping hazards.

6. On or about the aforementioned date, the Plaintiff was lawfully upon the aforementioned sidewalk, when he was caused to suddenly and without warning trip, stumble and fall because of the dangerous and hazardous condition, causing him to sustain severe, painful and permanent injuries and other damages more fully set forth hereinafter.

7. The aforementioned fall was caused solely by the negligence and carelessness of the Defendants individually, jointly and/or severally, by:

- (a) creating a hazardous and dangerous condition upon a public sidewalk;
- (b) failing to warn the plaintiff of the aforementioned hazardous and dangerous condition upon the sidewalk;
- (c) failing to properly inspect and maintain the sidewalk;
- (d) allowing the hazardous and dangerous condition to exist for an unreasonable amount of time after having sufficient notice, or constructive notice, thereof;
- (e) failing to erect barricades and/or post other warning devices at the location of the said hazardous and dangerous condition;
- (f) failing to make timely and proper repairs of the sidewalk, after having notice, or constructive notice, thereof;
- (g) allowing the sidewalk to remain broken, uncovered and uneven for an inordinate amount of time after having notice, or constructive notice, thereof;
- (h) allowing the open and uncovered utility on the sidewalk for an inordinate amount of time after having notice, or constructive notice, thereof;

- (i) failing to repair the sidewalk and cover the open utility; and,
- (h) otherwise failing to exercise due care to remedy a dangerous condition after having reasonable notice, or constructive notice, thereof.

8. As a direct result of the Defendants' carelessness and negligence, Plaintiff sustained severe and permanent injuries to his body and nerves, loss of motion and functional losses of body functions, contusion left elbow, trigger point injections, chronic posttraumatic sprain/strain lumbar spine, chronic posttraumatic sprain, left elbow, all of which have caused her and will continue to cause him great pain and permanent limitations, and have prevented him and will continue to prevent him in the future from attending to his daily duties and occupation, all to his great detriment and loss.

9. As a further result of the Defendants' negligence and carelessness Plaintiff has endured pain and suffering, loss of life's pleasures, embarrassment and humiliation, disfigurement, medical bills and expenses in excess of \$ 2,500.00, all to her great detriment and loss.

10. As a direct result of the aforesaid accident, Plaintiff will incur future medical bills and expenses and losses.

WHEREFORE, Plaintiff, Ronald Mitchell, demands judgment against the Defendant City of Philadelphia and Philadelphia Redevelopment Authority, individually, jointly and/or severally, in an amount not in excess of Fifty Thousand (\$50,000.00) Dollars.

JOSEPH CHAIKEN & ASSOCIATES, P.C.



---

**JERRY LYONS, ESQUIRE; ID 49543**  
Attorney for Plaintiff  
1800 JFK Boulevard-Suite 810  
Philadelphia, PA 19103  
(215) 564-1800

DATE: \_\_\_\_\_

6/9/20

**VERIFICATION**

**RONALD MITCHELL**, states that she is the Plaintiff in this action and verify that the facts upon which statements made in the foregoing complaint are based, to the best of their knowledge, information and belief, are true and correct . The undersigned understands that the statements therein are made subject to the penalties of 18 Pa. C.S. Section 4904 relating to unsworn falsification to authorities.

DATE: 5/02/20

  
**RONALD MITCHELL**